## REMARKS/ARGUMENTS

The above amendment and the following remarks are in reply to the final Office action of 09/28/2006. In light of this reply, reconsideration of this application is respectfully requested.

Twenty-three claims (1 – 23) were originally pending in this application. Of these, ten claims (2 – 4, 6 – 8 and 14 – 17) were previously withdrawn as drawn to non-elected species. In the above amendment, one independent claim (18) was amended to place it, as well as the claims dependent from it, in allowable form or better for consideration on appeal, and none was cancelled or added. Accordingly, 23 claims remain pending in this application, of which thirteen (1, 5, 9 – 13, and 18 – 23) are presented for reconsideration after final rejection.

In Section 4 of the Office action, the examiner rejected claims 1, 5, 9-13, and 18-23 under 35 U.S.C. 103(a) as being unpatentable over Yun et al (US5,835,139), in view of Murai (US5,986,726), and further in view of Williamson et al (US5,475,381), stating, in pertinent part,

> "[R]egarding to the particular shape of the chassis, ***while Murai may not exemplify [the] particular shape of the chassis as presently claimed, it would have been within the level of skill in the art and obvious to one having ordinary skill to engineering design the shape of the Yun chassis as desired as the shape of the mold frame ...[ to] provide an apparatus with features of smaller size, thinner thickness and lighter weight, as taught by Murai (col. 2, lines 1-3).*** (Emphasis added.)

and,

> "[R]egarding to the claimed limitation 'the information processing module attached to the mold frame' as recited in the claim 18 ... ***Murai ... teaches ... a mold frame (a frame structure corresponding to the claimed mold frame and defined by the metal sheet 1 and the resin frame 2....***" (Emphasis added.)

In light of the above amendment to claim 18 and the remarks that follow, reconsideration of this rejection is respectfully requested.

Independent claims 1 and 5 of the present invention both recite the limitation:

> "a chassis ... formed to be gradually thinner as further advancing from a first side adjoining the light source toward a second side opposite the first side."

A review of the Murai reference (the '726) reveals that, while the purported "mold frame" (triangular metal sheet 1 and resin ring frame 2 of Figs. 2 and 5 of Murai) may incorporate a tapering shape, the Murai chassis 8 ('726, Fig. 2) is conventionally rectangular in shape, and hence, teaches directly away from such a tapering shape. The Examiner concedes this lack of teaching in Murai, but nevertheless, asserts that it would have been obvious to so modify the Yun

chassis in order to "provide an apparatus with features of smaller size, thinner thickness and lighter weight, as taught by Murai." This is truly "boot strap" analogy, because neither reference teaches or even suggests this chassis shape, but to the contrary, its non-obviousness is evidenced by the fact that, although Murai incorporated such a shape in his "mold frame," and was also purportedly concerned with providing a smaller, thinner, lighter display, Murai nevertheless failed to incorporate such a shape into his own chassis. Accordingly, the motivation for incorporating such a shape into Yun's chassis is completely lacking.

The Applicant therefore respectfully submits that the Examiner's assertion of the "obviousness" of the purported combination of Yun and Murai is based, not upon any teaching that is to be found in either Yun or Murai, but rather, exclusively upon the Applicant's teachings in the instant application. However in accordance with the teachings of *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991), this is impermissible – "The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. Accordingly, it is respectfully submitted that the Examiner's rejection of at least independent claims 1 and 5 based on such impermissible grounds is untenable and should be withdrawn.

Regarding independent claim 18, this claim has been amended above to recite, *inter alia*,

"a mold frame ... extending over substantially the entire rear surface of the backlight assembly."

This distinguishing amendment is supported by, *e.g.*, FIG. 9, of the instant application, does not require further search or examination, and has been made in order to place the claim in an allowable form or in better form for consideration on appeal.

None of the art of record teaches this distinguishing limitation. Thus, even if the purported "mold frame" (triangular metal sheet 1 and resin ring frame 2 of Figs. 2 and 5 of Murai) together constitute such a structure, as asserted by the Examiner above, the purported combination does not meet the above limitation, and further, it would be contraindicated to modify Murai's "metal sheet 1" to do so, given Murai's stated objective of providing an "apparatus with features of smaller size, thinner thickness and lighter weight."

In light of the foregoing reply, it is respectfully submitted that claims 1, 5, 9 – 13 and 18 – 23 are allowable over the art of record. Applicant therefore respectfully requests the Examiner's reconsideration of this application in the light thereof, and that a timely Notice of Allowance be issued in this case.

If there are any questions regarding this Reply, the Examiner is invited to contact the undersigned at the number indicated below.

Certification of Facsimile Transmission
I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Saundra L Carr — Nov. 28, 2006
Saundra L. Carr — Date of Signature

Respectfully submitted,

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